

12/11/01  
J1040 U.S. PTO

12-14-01

A

Case Docket No.: ONUX-4 CON

Assistant Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor: Gregory E. Sancoff et al.

For: SURGICAL SUTURING INSTRUMENT AND METHOD OF USE

Enclosed are:

- 28 sheets of drawings.  
 An assignment of the invention to: \_\_\_\_\_  
 A verified statement to establish small entity status.  
 REQUEST FOR FILING RULE 1.53 (B) CONTINUATION APPLICATION

The filing fee has been calculated as shown below:

For:	No. Filed	No. Extra	Small Entity		Large Entity	
			Rate	Fee	Rate	Fee
Basic Fee				\$ 370.00		\$
Total Claims	51 - 20	31	x \$ 9.00	279.00	x \$18.00	
Ind. Claims	17 - 3	14	x \$42.00	588.00	x \$78.00	
Mult. Claims			+ \$130.00		+ \$260.00	
			Total	\$1,237.00		

- Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$1,237.00 to cover the filing fee (and assignment recording fee) is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.
- Any additional filing fees required under 37 CFR 1.16.
  - Any patent application processing fees under 37 CFR 1.17.
- The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.
- Any patent application processing fees under 37 CFR 1.17.
  - The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
  - Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

*James A. Sheridan* 12/11/01  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, Massachusetts 02451-1914  
Tel. (781) 290-0060

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J1040 U.S. PTO  
12/11/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Gregory E. Sancoff et al.  
Serial No.: 09/368,273  
Filing Date: 08/03/99  
Title: SURGICAL SUTURING INSTRUMENT  
AND METHOD OF USE  
Group Art Unit: 3731  
Examiner: G. Jackson  
Attorney's Docket No.: ONUX-4

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

AFFIDAVIT VERIFYING APPLICATION

Commonwealth of Massachusetts  
County of Middlesex

I, James A. Sheridan, being duly registered to practice before the U.S. Patent and Trademark Office, and being duly sworn, depose and state that: I am attorney of record in the above-identified pending prior application Serial No. 09/368,273 filed 08/03/99, and that the enclosed application is a true and complete copy of the above-identified prior application Serial No. 09/368,273 as filed, and that no amendments referred to in the oath or declaration filed to complete the prior patent application Serial No. 09/368,273 introduced new matter therein.

*James A. Sheridan 12/11/01*  
James A. Sheridan  
Registration No. 43,114

Sworn to before me this 11<sup>th</sup> day of December, 2001.

*Mary Landini*  
Notary Public  
My commission expires: April 17, 2003.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Gregory E. Sancoff et al.  
Serial No.: 09/368,273  
Filing Date: 08/03/99  
Title: SURGICAL SUTURING INSTRUMENT  
AND METHOD OF USE  
Group Art Unit: 3731  
Examiner: G. Jackson  
Attorney's Docket No.: ONUX-4

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached Rule 1.53(B) continuation application is being filed under the provisions of 37 CFR 1.10.

Respectfully submitted,

*James A. Sheridan 12/11/01*

James A. Sheridan  
Registration No. 43,114  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, MA 02154  
Tel. (781) 290-0060

"Express Mail Mailing Label Number ET500737806US

Date of Deposit DECEMBER 11, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

*James A. Sheridan 12/11/01*  
James A. Sheridan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Gregory E. Sancoff et al.  
Serial No.: 09/368,273  
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Title: SURGICAL SUTURING INSTRUMENT  
AND METHOD OF USE  
Group Art Unit: 3731  
Examiner: G. Jackson  
Attorney's Docket No.: ONUX-4

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION

This is a request for filing a continuation application, in accordance with Rule 1.53(B), of pending prior application Serial No. 09/368,273 filed 08/03/99 by Gregory E. Sancoff, Frederic P. Field and Douglas A. Fogg for SURGICAL SUTURING INSTRUMENT AND METHOD OF USE.

Submitted with this request are the following:

1. A true copy of said pending prior application Serial No. 09/368,273 (including specification, claims, and drawings) as originally filed;
2. An AFFIDAVIT by an attorney of record verifying that the enclosed copy of said prior application Serial No. 09/368,273 is a complete and true copy; and
3. A PRELIMINARY AMENDMENT which amends the application to show that it is a continuation of parent application Serial No. 09/368,273 and
4. A mailing certificate indicating that this submittal is being deposited with the United States Postal Service "Express

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Mail Post Office to Addressee" service on December 11, 2001 as provided for under 37 CFR 1.10.

5. A check in the amount of \$1237.00 covering the filing fee, calculated on the basis of the claims filed. The fee has been calculated on the basis of a small entity status, as follows:

TOTAL CLAIMS	51	-	20	=	31	x	9	=	\$588.00
INDEPENDENT	17	-	3	=	14	x	42	=	\$279.00
BASIC FEE									\$370.00
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TOTAL FILING FEE:									\$1237.00

The Power of Attorney in the prior application is to Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and James A. Sheridan, Registration No. 43114, or any of them, all of 470 Totten Pond Road, Waltham, MA 02154-1914 (Telephone No. 781-290-0060).

The inventors named in this continuation application are the same inventors named in the prior application Serial No. 09/368,273.

The Commissioner of Patent and Trademarks is hereby authorized to charge any additional fees (filing or application processing fees under 37 CFR 1.16 or 37 CFR 1.17) which may be required in connection with this continuation application, or credit any overpayment, to Deposit Account No. 16-0221.

The Commissioner is also authorized to prepare a certified copy of said prior copending application if the same is deemed to be necessary and to charge the cost of same to Deposit Account No. 16-0221.

A duplicate copy of this letter is enclosed for filing in said prior copending application.

All communications in this matter should be addressed to:

Mark J. Pandiscio  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, Massachusetts 02154.

Thank you.

Respectfully submitted,

*James A. Sheridan* 12/11/01

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